



41 21214
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Risto Miikkulainen, et al.

Title: SYSTEMS AND METHODS FOR ADAPTIVE MEDICAL DECISION
SUPPORT

Application No.: 09/690,354

Filed: October 17, 2000

Examiner: Joseph P. Hirl

Group Art Unit: 2121

Atty. Docket No.: 1039-0020

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AUG 18 2004

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INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, the undersigned brings the patents, publications, applications or other information identified in the attached:

- ☒ Form(s) PTO/SB/08A and/or PTO/SB/08B or PTO/1449
☐ Other: n/a

to the Examiner's attention in the above-identified application. Citation of such information shall not be construed as:

1. an admission that the information necessarily is, or corresponds to, prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described below; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

For each item of information listed that is not in the English language, the undersigned has provided a concise explanation of the relevance, such as through (i) an English language abstract, (ii) an English language equivalent application, (iii) reference to discussion in the application, or (iv) if cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action that

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08/17/2004 LWDNDIM1 00000021 502469 09690354

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indicates the degree of relevance found by the foreign office.

STATEMENT UNDER 37 C.F.R. § 1.704(d)

If the above-identified application is an original application filed on or after May 29, 2000:

- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

FEES DUE

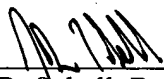
This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of a national application or within three months of entry of the national stage as set forth in § 1.491 in an international application. Therefore, no fee is required.
- ☐ before the mailing date of a first Office action on the merits or before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Therefore, no fee is believed required.
- ☐ during the period specified in § 1.97(c). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement.
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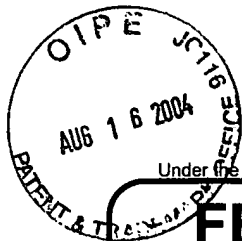
Should any PTO fees be necessary for entry of this Information Disclosure Statement, the undersigned hereby authorizes the Commissioner to charge Deposit Account 50-2469.

Respectfully submitted,

08.05.04
Date



John R. Schell, Reg. No. 50,776
Attorney for Applicant(s)
TOLER, LARSON & ABEL, L.L.P.
5000 Plaza On The Lake, Suite 265
Austin, Texas 78746
(512) 327-5515 (phone)
(512) 327-5452 (fax)



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number 09/690,354
Filing Date October 17, 2000
First Named Inventor Risto Miikkulainen
Examiner Name Joseph P. Hirl
Art Unit 2121
Attorney Docket No. 1039-0020

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☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

50-2469

TOLER LARSON & ABEL LLP

The Director is authorized to: (check all that apply)

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☒ Charge any additional fee(s) or any underpayment of fee(s)

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FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | (\$) 0.00 | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | Extra Claims | | Fee from below | | Fee Paid |
|--------------------|--|--------------|--|----------------|---|----------|
| Total Claims | | -20** = | | X | | |
| Independent Claims | | -3** = | | X | | |
| Multiple Dependent | | | | | 0 | 0 |

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | (\$) 0.00 | |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | 180.00 |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

| | | | | | |
|-------------------|----------------|-----------------------------------|----------|-----------|--------------|
| Name (Print/Type) | John R. Schell | Registration No. (Attorney/Agent) | 50,776 | Telephone | 512-327-5515 |
| Signature | | Date | 08-05-04 | | |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (02-04)

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| | | | |
|---|----------------------|------------------------|-----------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/690,354 | |
| | Filing Date | October 17, 2000 | |
| | First Named Inventor | Risto Miikkulainen | |
| | Art Unit | 2121 | |
| | Examiner Name | Joseph P. Hirl | |
| Total Number of Pages in This Submission | 10 | Attorney Docket Number | 1039-0020 |

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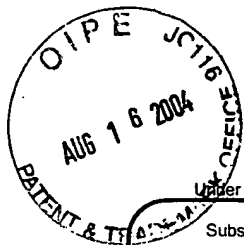
| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Customer No.: 34456 | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | John R. Schell, Registration No.: 50,776 |
| Signature | |
| Date | 8-5-04 |

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| Typed or printed name | Elise K. Dougherty |
| Signature | |
| Date | 8-6-04 |

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| | |
|------------------------|--------------------|
| Application Number | 09/690,354 |
| Filing Date | October 17, 2000 |
| First Named Inventor | Risto Miikkulainen |
| Art Unit | 2121 |
| Examiner Name | Joseph P. Hirl |
| Attorney Docket Number | 1039-0020 |

Sheet 1 of 4

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | A | US- 4,839,822 A | 06-13-1989 | Dormond et al. | |
| | B | US- 4,916,611 | 04-10-1990 | Doyle, Jr. et al. | |
| | C | US- 5,018,067 | 05-21-1991 | Mohlenbrock et al. | |
| | D | US- 5,065,315 | 11-12-1991 | Garcia | |
| | E | US- 5,070,452 | 12-03-1991 | Doyle, Jr. et al. | |
| | F | US- 5,072,383 | 12-10-1991 | Brimm et al. | |
| | G | US- 5,077,666 | 12-31-1991 | Brimm et al. | |
| | H | US- 5,101,476 | 03-31-1992 | Kukla | |
| | I | US- 5,301,105 | 04-05-1994 | Cummings, Jr. | |
| | J | US- 5,319,543 | 06-07-1994 | Wilhelm | |
| | K | US- 5,347,453 | 09-13-1994 | Maestre | |
| | L | US- 5,347,477 | 09-13-1994 | Lee | |
| | M | US- 5,361,202 | 11-01-1994 | Doue | |
| | N | US- 5,366,896 | 11-22-1994 | Margrey et al. | |
| | O | US- 5,390,238 | 02-14-1995 | Kirk et al. | |
| | P | US- 5,528,021 | 06-18-1996 | Lassus et al. | |
| | Q | US- 5,594,638 | 01-14-1997 | Iliff | |
| | R | US- 5,660,176 | 08-26-1997 | Iliff | |
| | S | US- 5,722,418 | 03-03-1998 | Bro | |

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FOREIGN PATENT DOCUMENTS

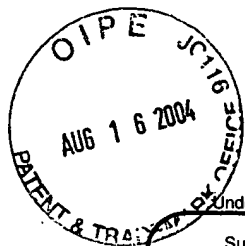
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁴ |
|--------------------|-----------------------|---|--------------------------------|--|---|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | TT | WO 2001/133378 A | 05-10-2001 | Levy | | |
| | UU | WO 2001/35376 A1 | 05-17-2001 | Lipscher et al. | | |
| | VV | | | | | |
| | WW | | | | | |
| | XX | | | | | |
| | YY | | | | | |

Examiner
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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| | |
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| Application Number | 09/690,354 |
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| Examiner Name | Joseph P. Hirl |
| Attorney Docket Number | 1039-0020 |

Sheet 2 of 4**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | AA | US- 5,737,539 | 04-07-1998 | Edelson et al. | |
| | BB | US- 5,748,907 | 05-05-1998 | Crane | |
| | CC | US- 5,769,074 | 06-23-1998 | Barnhill et al. | |
| | DD | US- 5,772,585 | 06-30-1998 | Lavin et al. | |
| | EE | US- 5,778,882 | 07-14-1998 | Raymond et al. | |
| | FF | US- 5,845,255 | 12-01-1998 | Mayaud | |
| | GG | US- 5,868,669 | 02-09-1999 | Iliff | |
| | HH | US- 5,879,163 | 03-09-1999 | Brown et al. | |
| | II | US- 5,883,370 | 03-16-1999 | Walker et al. | |
| | JJ | US- 5,924,074 A | 07-13-1999 | Evans | |
| | KK | US- 5,946,646 | 08-31-1999 | Schena et al. | |
| | LL | US- 5,951,300 | 09-14-1999 | Brown | |
| | MM | US- 5,954,641 | 09-21-1999 | Kehr et al. | |
| | NN | US- 6,018,713 | 01-25-2000 | Coli et al. | |
| | OO | US- 6,021,202 | 02-01-2000 | Anderson et al. | |
| | PP | US- 6,024,699 A | 02-15-2000 | Surwit et al. | |
| | QQ | US- 6,026,363 A | 02-15-2000 | Shepard | |
| | RR | US- 6,047,259 A | 04-04-2000 | Campbell et al. | |
| | SS | US- 6,055,333 A | 04-25-2000 | Guzik et al. | |

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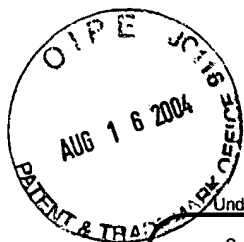
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | TT | | | | | |
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| First Named Inventor | Risto Miikkulainen |
| Art Unit | 2121 |
| Examiner Name | Joseph P. Hirl |
| Attorney Docket Number | 1039-0020 |

Sheet 3 of 4

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | A3 | US- 6,073,097 A | 06-06-2000 | Gould et al. | |
| | B3 | US- 6,073,375 | 06-13-2000 | Fant et al. | |
| | C3 | US- 6,085,752 | 07-11-2000 | Kehr et al. | |
| | D3 | US- 6,090,044 | 07-18-2000 | Bishop et al. | |
| | E3 | US- 6,108,635 | 08-22-2000 | Herren et al. | |
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| Art Unit | 2121 |
| Examiner Name | Joseph P. Hirl |
| Attorney Docket Number | 1039-0020 |

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